



COMMUNITY DEVELOPMENT DEPARTMENT

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Website Address: www.morgan-hill.ca.gov

PLANNING COMMISSION MEETING MINUTES

REGULAR MEETING

OCTOBER 12, 2010

PRESENT: Mueller, Moniz, Tanda, Koepp-Baker, Benich

ABSENT: Escobar

LATE: None

STAFF: Interim Community Development Director (ICDD) Piasecki, Planning Manager (PM) Rowe, Senior Planner (SP) Linder, and Development Services Technician (DST) Bassett

Chair Mueller called the meeting to order at 6:58 p.m., inviting all present to join in reciting the pledge of allegiance to the U.S. flag.

DECLARATION OF POSTING OF AGENDA

Development Services Technician Bassett certified that the meeting's agenda was duly noticed and posted in accordance with Government Code Section 54954.2.

OPPORTUNITY FOR PUBLIC COMMENT

Chair Mueller opened, and then closed, the floor to public comment for matters not appearing on the agenda as none were in attendance indicating a wish to address such matters.

MINUTES:

September 28, 2010 COMMISSIONERS KOEPP-BAKER AND TANDA MOTIONED TO APPROVE THE SEPTEMBER 28, 2010 MINUTES WITH THE FOLLOWING REVISIONS:

Page 9 Paragraphs 10-11: Mueller: I am going to suggest that this be continued to allow the homeowners and the builder time to meet and communicate.

Mueller closed the floor to public comment.

THE MOTION PASSED (5-0-0-1) WITH THE FOLLOWING VOTE: AYES: UNANIMOUS; NOES: NONE; ABSTAIN: NONE; ABSENT: ESCOBAR

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**PUBLIC
HEARINGS:**

**1) SUBDIVISION
AMENDMENT,
SDA-04-13B/
ZONING
APPROVAL
AMENDMENT,
ZAA-04-16B:
BARRETT-
ODISHOO:**

Re-Open public hearing/Adopt Resolution recommending approval.

Linder presented her staff report and stated that the item was continued from the previous meeting to give the applicant time to meet with the homeowners' association.

Mueller opened the floor to public comment.

Frank McElvain, president of the Villas of San Marcos owners' association, appeared.

McElvain: The residents did meet with the builder on October 3rd. We no longer have any issues or objections regarding the park and open space.

Mueller closed the public hearing.

**COMMISSIONERS MONIZ AND BENICH MOTIONED TO APPROVE
THE RESOLUTION ON THE PRECISE DEVELOPMENT PLAN**

**THE MOTION PASSED (5-0-0-1) WITH THE FOLLOWING VOTE:
AYES: UNANIMOUS; NOES: NONE; ABSTAIN: NONE; ABSENT:
ESCOBAR**

**COMMISSIONERS MONIZ AND BENICH MOTIONED TO APPROVE
THE RESOLUTION AMENDING THE SUBDIVISION**

**THE MOTION PASSED (5-0-0-1) WITH THE FOLLOWING VOTE:
AYES: UNANIMOUS; NOES: NONE; ABSTAIN: NONE; ABSENT:
ESCOBAR**

**2) USE PERMIT
AMENDMENT,
UPA-95-01B:
W. THIRD-
VERIZON:**

Open public hearing/Adopt Resolution recommending approval.

Rowe presented his staff report.

Benich: Item 8 is your recommendation that the pole/antennae be painted to match the existing colors?

Rowe: Yes.

Tanda: Who would be notified on this type of action?

Rowe: Anyone within 300 feet.

Tanda: Does the city receive any sort of franchise fees?

Rowe: Yes, under the terms of the lease the city is paid to allow use of the site.

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Tanda: Would this modification add to that fee?

Rowe: I do not know. I could look into it and report back.

Mueller opened and closed the floor to public comment.

**COMMISSIONERS BENICH AND TANDA MOTIONED TO APPROVE
THE CONDITIONAL USE PERMIT AMENDMENT**

**THE MOTION PASSED (5-0-0-1) WITH THE FOLLOWING VOTE:
AYES: UNANIMOUS; NOES: NONE; ABSTAIN: NONE; ABSENT:
ESCOBAR.**

**OTHER
BUSINESS:**

**3) PRELIMINARY
DESIGN FOR THE
FIRST PHASE
DOWNTOWN
MIXED-USE
PROJECT:**

Review and provide comments of the preliminary design of the downtown mixed-use project.

Steve Piasecki presented his staff report and stated that Barry Swenson Builder has been selected to develop two sites in the downtown. They have met with Morgan Hill residents in several open forums and have tried to identify materials and architecture based on the feedback. This is just one of two projects happening in the downtown. The other project is the downtown streetscape, so this is an exciting time for Morgan Hill.

Jessie Thielen, senior planning manager, appeared on behalf of Barry Swenson Builder.

Thielen: As of June 23, 2010, we were chosen as the builder for the downtown sites. We are a third-generation builder. We're family owned and operated. We are approaching 100 years working in the valley and have had successful partnerships with several cities in the past. Our vision for the downtown is to bring live/work/shop/play areas to the downtown. We have presented various architectural styles. We have gotten good feedback from the community on architectural preferences and materials, as well as types of tenants.

Jeff Current, vice-president of Barry Swenson Builder, appeared.

Current: We are here tonight to present conceptual designs. Based on feedback received from three community meetings, we intend to mix the materials and colors and use a wide variety for the two blocks concerned. Once the brick is chosen, the colors will be coordinated around that. People gravitated towards variety, such as weathered and variegated bricks versus pristine, uniform types. Traditional images are the most preferred. A downtown grocer and multi-screen cinema are being specifically sought. Spaces are being designed for the types of tenants being proposed. Economic analyses and a market study of residential units are being performed. We have met with the city and discussed flood issues because both Site A and Site B straddle the flood zone. Guadalupe River in downtown San Jose had

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some of the same issues so we have dealt with similar situations. We are also studying traffic patterns. One element of successful downtowns is parking. The goal is to activate the street front along Monterey, with parking running along the back side. Site A will also provide underground parking. Retail and cinema space will predominantly be on the ground floor. Residential units and offices will be above that. We have started to sketch out elements of the design but it is still in the early planning stages. Our main goal tonight is to get feedback on architectural elements and details, such as windows, door fronts, awnings, corbels, moldings and lighting.

Mueller opened the floor to public hearing.

Marek Zhang, a senior at Ann Sobrato High School, appeared.

Zhang: I like the idea of a cinema and grocery store downtown. It will make the downtown livelier and will attract younger people. And I like the look of the buildings.

Dick Oliver of Dividend Homes appeared.

Oliver: I just returned from Europe. The thing I think we need is a landmark building, something that makes a statement and will draw people to the downtown. If we don't, we're missing a big opportunity.

Mueller closed the floor to public comment.

Benich: I am encouraged by the design. I like the different colors, height variations and roof treatments. I am glad to see that this is not cookie-cutter design. The comment I have is that artistic tiles could be used to give a sense of detail. This has been done successfully in other communities such as Willow Glen and Santa Barbara. In response to Mr. Oliver's concerns, I feel that the clock tower building is maybe what you were shooting for as a signature building and maybe that could be developed a little further. The below grade parking is outstanding. Is the open space of Site B going to be for the public?

Current: The open space of Site B is on the rooftop, so presently, it is for use by the offices. We have discussed space for an upper level restaurant, and that could work well for outdoor seating.

Mueller: It would be nice if it could be used by residents in the evening, even if it is reserved for the offices in the day.

Benich: Are you contemplating Monterey being a two-lane road, in order to allow for wider sidewalks?

Current: We are not addressing that issue right now. The question is if it's better to widen the sidewalks or leave the landscaping down the middle. We recently worked with the city of Livermore. They took out a lane, created angled parking and widened the sidewalks. It made it a very "walkable" downtown—whether the traffic flows as well is a different question.

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Koepp-Baker: Is there a plan for the movie theater auditoriums where film festivals or live theater could be held?

Current: We have explored the possibility of a theater for more mature audiences where beer and wine are served. It is a niche market that doesn't exist much in California.

Koepp-Baker: We have the Poppy Jasper Film Festival here, and it's growing bigger every year. It would be nice if this could accommodate that sort of event and could be for multi-use.

Mueller called for a break at 8:00 and reconvened at 8:08.

Moniz: Regarding the meetings that have been held, how many attended?

Current: The first meeting about 100; the second about 40; the third about 60-80.

Moniz: Has it been the same people or new faces at each meeting?

Current: It seems to have been different groups of people.

Moniz: How did you choose the architecture to integrate into your renderings?

Current: We're looking at massing as well as successful architecture in Morgan Hill and other communities around California. We've learned that the festivals in Morgan Hill occur around 4 times a year, and we'd like to make that activity level present more often. That's why the cinema and grocery store are so important. These models are to be pedestrian friendly and liven up the downtown.

Moniz: How much space would there be allotted for the grocery store?

Current: Probably around 10,000 sq. ft., which is not small, but it's small for a grocery store.

Moniz: Would that be at build-out?

Current: That's the goal, but it depends on whom we find as the tenant. We're looking at several different chains that don't necessarily want to do the mega stores.

Moniz: Will your plan be able to adapt if Monterey is cut to two lanes? Will the buildings grow toward the street in that case?

Current: The sidewalks would be widened, but the buildings would not grow toward the street—only the outdoor uses would expand.

Moniz: When will the market study that you mentioned be forthcoming?

Current: Probably in about two weeks.

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Moniz: Will it be public information?

Current: Yes.

Moniz: Do you think it will come back into vogue for empty-nesters to move to downtown spaces?

Current: Yes, I believe that is already happening.

Tanda: I believe the grocery story is key, but it seems that it would have to be a specialty store, and that might be hard to find.

Current: True. Right now we're seeing that the market is still depressed, but this is exciting because it's a product that doesn't exist anywhere else in Northern California.

Tanda: Outdoor seating might also be a great idea for the restaurant space.

Current: Agreed, and the courtyard has a space that would be ideal for a café, but what happens with the sidewalks due to the Monterey streetscape is going to have a big impact.

Tanda: What is your feeling about the noise caused by traffic on the street?

Current: It is probably important to look at that in future planning, because the noise does deter people from eating outside even if the seating exists.

Tanda: What type of bus and truck activity is allowed in other cities with successful downtowns?

Current: I don't know. That is something we could possibly study.

Mueller: I am relieved to know that these drawings are not complete and that there are still details to be added, because it seems that the feeling of Morgan Hill hasn't been captured yet. Also, I'm wondering how the residents will be able to watch the festivals and street events.

Current: It's a delicate balance between connection and separation. Residents sometimes want to shut out the noise and have more privacy.

Mueller: The Granada theater sign seems to be out of place and not integrated well.

Current: That's a good point and I haven't heard that before. We want it to look like it fits, so we will need to continue defining what the "Morgan Hill feel" is.

Mueller: Thank you for all your efforts so far.

Current: Thank you.

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4) SCHEDULE FOR REVIEW OF PROJECT APPLICATIONS FOR THE UPCOMING RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) COMPETITION:

Approve the RDCS schedule by minute action.

Rowe presented his staff report and stated that 6 applications were filed in the Open Market category, 1 in the Senior, 2 in the Small category. There are 85 unused allocations that will need to be redistributed.

Benich: I'm confused by page 2 of the schedule. Which date do we get the project descriptions?

Rowe: You get those on the 23rd.

Benich: What is the 17th?

Rowe: That is the date for City staff to complete their recommendations on the project evaluations.

Mueller: Would the Planning Commission rather meet on the 7th and 8th, or on the 14th and 16th?

Moniz: I would prefer the earlier dates.

Benich: I would prefer the 14th, so we have more time to review.

Koepp-Baker: The middle of the month is better.

Mueller: So we're agreed that we'll meet on the 14th and 16th as scheduled. How early should we start, 5:00 or 6:00?

Koepp-Baker: The previous time when we met at 5:00, it made it easier to have discussed all the global issues before the actual meeting began.

The commissioners indicated a consensus to meet at 5:00.

**COMMISSIONERS KOEPP-BAKER AND BENICH MOTIONED BY
MINUTE ACTION TO ACCEPT THE SCHEDULE AS PUBLISHED**

**THE MOTION PASSED (5-0-0-1) WITH THE FOLLOWING VOTE:
AYES: UNANIMOUS; NOES: NONE; ABSTAIN: NONE; ABSENT:
ESCOBAR.**

5) MULTI- FAMILY VACANCY RATE REPORT:

Approve the Multi-Family Vacancy Report by minute action, with a recommendation to forward to City Council for approval.

Rowe presented his staff report.

**COMMISSIONERS MONIZ AND KOEPP-BAKER MOTIONED TO
ACCEPT AND FORWARD THE SURVEY RESULTS**

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**THE MOTION PASSED (5-0-0-1) WITH THE FOLLOWING VOTE:
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ESCOBAR.**

**6) HOLIDAY
MEETING
SCHEDULE:**

Review and discuss meeting schedule for November and December.

Rowe presented his staff report.

**COMMISSIONERS KOEPP-BAKER AND MONIZ MOTIONED TO
CANCEL THE SECOND MEETING IN NOVEMBER AND DECEMBER**

**THE MOTION PASSED (5-0-0-1) WITH THE FOLLOWING VOTE:
AYES: UNANIMOUS; NOES: NONE; ABSTAIN: NONE; ABSENT:
ESCOBAR**

**ANNOUNCEMENTS
COMMISSIONER
IDENTIFIED ISSUES**

The RDCS Quarterly report, which is the only item currently scheduled for the October 26th meeting, has been moved to the first meeting in November, in order to cancel that second meeting in October. City Council has requested that the California High Speed Rail Authority be present at the workshop scheduled for the November 3rd Council meeting. The workshop will be at 6:00 pm. It will be an update on the two alignment proposals.

Discussion:

Koepp-Baker: When will the next EIR meeting for the Southeast Quadrant be held?

Mueller: Should we put that on the agenda for a future meeting?

Rowe: We will consider it for the November 9th commission meeting. We'll take a look at the agenda.

**CITY COUNCIL
REPORTS**

None.

ADJOURNMENT

Noting that there was no further business for the Planning Commission at this meeting, Chair Mueller adjourned the meeting at 8:55 p.m.

MINUTES RECORDED AND TRANSCRIBED BY:

ELIZABETH BASSETT, Development Services Technician